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BEFORE THE ARIZONA CORPORATION COMMISSION

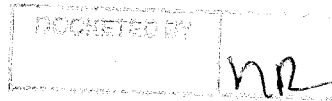
Arizona Corporation Commission

COMMISSIONERS

DOCKETED

NOV 17 2011

GARY PIERCE - Chairman
BOB STUMP
SANDRA D. KENNEDY
PAUL NEWMAN
BRENDA BURNS



IN THE MATTER OF THE APPLICATION OF
BACA FLOAT WATER COMPANY FOR AN
EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. WS-01678A-07-0116

DECISION NO. 72677

ORDER EXTENDING TIME
DEADLINE CONTAINED IN
DECISION NOS. 69949 AND 71437

Open Meeting
November 8 and 9, 2011
Phoenix, Arizona

BY THE COMMISSION:

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Having considered the entire record herein and being fully advised in the premises, the Arizona Corporation Commission ("Commission") finds, concludes, and orders that:

FINDINGS OF FACT

1. In Decision No. 69949 (October 30, 2007), the Commission approved the application of Baca Float Water Company ("Baca Float" or "Company") to extend its existing Certificate of Convenience and Necessity for water service.

2. As part of Decision No. 69949, the Commission ordered Baca Float to file a copy of the ADEQ Approval to Construct ("ATC") for the facilities needed to serve the first phase of development in the requested area by October 30, 2009 (two years of the effective date of the Decision).

3. On September 3, 2009, Baca Float filed a request for a two year extension of time, until October 30, 2011, to file the required ATC. In Decision No. 71437 (December 23, 2009), the Commission extended the deadline to file the ATC until October 30, 2011.

4. On September 16, 2011, Baca Float filed another request for extension of time,

1 seeking to extend the deadline to file the required ATC until September 30, 2013. The request states
2 that the developer, Presidio de Tubac Development, Inc. ("Presidio Development") has further
3 delayed plans to construct "due to the economic situation throughout the nation and continued
4 slowing of the real estate market."

5 5. On October 5, 2011, the Commission's Utilities Division ("Staff") filed a
6 Memorandum in response to the request for extension. Staff states that based on the developer's letter
7 in support of the requested extension, and the circumstances of the market, Staff does not object to
8 Baca Float's request. Staff recommends that the due date for filing the ATC for the first phase of
9 development in the area outlined in Decision No. 69949 be extended until September 30, 2013.

10 6. Baca Float's requested extension is supported by the developer of the proposed project
11 and unavoidable circumstances have slowed the planned development of the area. Good cause, and
12 extraordinary circumstances existing, the deadline to file the ATC as outlined in Decision No. 69949
13 should be extended until September 30, 2013.

14 **CONCLUSIONS OF LAW**

15 1. Baca Float is a public service corporation within the meaning of Article XV of the
16 Arizona Constitution and A.R.S. §§ 40-281 and 40-282.

17 2. The Commission has jurisdiction over Baca Float and the subject matter of the
18 request.

19 3. The requested extension of time is reasonable and should be approved.

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ORDER

IT IS THEREFORE ORDERED that the deadline for Baca Float Water Company to file an Approval to Construct for the facilities needed to serve the first phase of development of the extension area as set forth in Decision No. 69949, shall be extended until September 30, 2013.

IT IS FURTHER ORDERED that all other provisions of Decision No. 69949 shall remain in effect.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.


CHAIRMAN

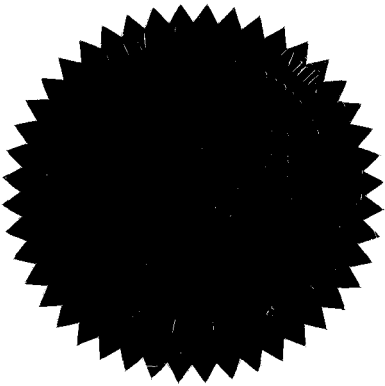

COMMISSIONER


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COMMISSIONER

IN WITNESS WHEREOF, I, ERNEST G. JOHNSON, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 17th day of November, 2011.




ERNEST G. JOHNSON
EXECUTIVE DIRECTOR

DISSENT _____

DISSENT _____

1 SERVICE LIST FOR: BACA FLOAT WATER COMPANY

2 DOCKET NO.: WS-01678A-07-0116

3 Gary Brasher
4 BACA FLOAT WATER COMPANY
5 PO Box 1536
6 Tubac, AZ 85646

7 Janice Alward, Chief Counsel
8 Legal Division
9 ARIZONA CORPORATION COMMISSION
10 1200 West Washington Street
11 Phoenix, AZ 85007

12 Steve Olea, Director
13 Utilities Division
14 ARIZONA CORPORATION COMMISSION
15 1200 West Washington Street
16 Phoenix, AZ 85007

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